

III. Remarks

Claims 1-11 are pending in this application. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-11 are rejected under 35 U.S.C. § 102(e) as being anticipated by Sayan et al. (USPN 6,477,569), hereinafter "Sayan." Applicant respectfully disagrees for the reasons that follow.

With regarding to claims 1, 5 and 9-10, Sayan does not disclose, *inter alia*, "determining a combination of whether the resources have been held by the remote client for a period longer than a first preset threshold and whether the resources have been held by the remote client without use of the resources for a period longer than a second preset threshold[,]" as recited in claim 1 and claimed similarly in claims 5 and 9-10. The Office alleges that Sayan discloses this feature, citing col. 8, line 64 – col. 9, line 5 and col. 12, line 35 – col. 14, line 20 of Sayan. (Office Action at page 3). In the cited portion, Sayan discloses a maximum idle time threshold (see, e.g., col. 12, lines 62-64) and a CPU limit (see col. 8, line 64-67). Although not specifically expressed, it appears from the context of the Office Action that the Office uses the maximum idle time threshold of Sayan to disclose the second threshold of the claimed invention. (See Office Action at page 3, last paragraph.) However, even if, for sake of argumentation, Sayan disclosed the second threshold of the claimed invention, Sayan still does not disclose "determining ...

whether the resources have been held by the remote client for a period longer than a first preset threshold[.]” (Claim 1).

In Sayan. “[t]he CPU limit defines the maximum number of CPU cycles in seconds allowed to process a transaction.” (Col. 8, lines 3-4). Sayan requires that “[t]he CPU parameter should be set greater than the maximum time and preferably to at least twice the maximum time used for the longest of all transactions serviceable by the pool agent.” (Col. 8, lines 64-67). However, the CPU limit in Sayan does not define a threshold of a period that a client application holds a pool agent (resources) because during a communication of Sayan, a client application may request and a pool agent may perform more than one transaction. (See, e.g., col. 12, lines 53-54, “[a]dditional requests maybe received by the pool agent from the client.”) For example, if each of all the transactions requested by a client application is processed by a pool agent within the CPU limit, a communication between the pool agent and the client application can exist for a period longer than the CPU limit, provided that an idle time of the pool agent does not exceed the maximum (the assumed second threshold). That is, the CPU limit of Sayan is not a threshold for a client application to hold a pool agent (resources). In view of the foregoing, Sayan does not disclose, *inter alia*, determining whether the resources have been held by the remote client for a period longer than a first preset threshold. Accordingly, Applicant respectfully requests withdrawal of the rejection.

Claims 2-4 are dependent upon claim 1; claims 6-8 are dependent upon claim 5; and claim 11 is dependent upon claim 10. The dependent claims are believed allowable for the same reason as stated above, as well as for their own additional features.

IV. Conclusion

Applicant respectfully submits that the application as presented is in condition for allowance. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



Michael F. Hoffman
Reg. No. 40,019

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Hoffman, Warnick & D'Alessandro LLC
75 State Street, 14th Floor
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)